IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 18290 of 2004

Between:

V. Sashireka, W/o. B.V. Rangaiah
Gooty, Anantapur Distrit.

... PETITIONER

AND

1 The State of A.P., rep. by its Principal Secretary,
Higher Education, Secretariat, Hyd.
2 The Commissioner of Intermediate Education, Nampally, Hyd.
3 The Secretary and Correspondent, M.S.Junior College, Gooty, Anantapur Dist.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, or order or direction, more particularly one in the nature of writ of mandamus, declaring the action of the 1st respondent in not considering the representation dt. 12.10.2003 of the petitioenr to admit her service into grant in aid w.e.f. the date of her initial appointment as Junior Lecturer in Chemistry in the 3rd respondent college, is illegal, arbitrary and violative of the Art. 14 of the constitutional of India, and consequently direct the 1st respondent to consider the representation dt. 12.10.2003 of the petitioner to admit her services into grant in aid with effect from the date of her initial appointment i.e., 1.7.1989 as Junior Lecturer in Chemistry in the 3rd respondent college and to pass such other order or orders as this Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: Mr.K.V.SUBBA REDDY

Counsel for the Respondent Nos.1 and 2: GP FOR HIGHER EDUCATION

Counsel for Respondent No.3: None

The Court at the admission stage made the following :

Oral Order:

The petitioner was initially appointed as a Junior Lecturer in an unaided post on 1-7-1989 against an aided vacancy of the third respondent college and he was admitted into the aided post on 7-10-1998. The petitioner contends that by virtue of the Government Orders issued by the Government from time to time, the petitioner is entitled for absorption to the aided post from the date of initial appointment. The petitioner submitted a representation to the first respondent on 12-10-2003 requesting to extend the said benefit to him. The grievance of the petitioner is that the first respondent so far did not pass any order on the said representation. He therefore approached this Court seeking a direction to the first respondent to pass appropriate orders on the said representation.

In the light of the circumstances explained by the petitioner, the first respondent is directed to consider the representation of the petitioner dated 12-10-2003 regarding his claim for absorption to the aided post from the date of his initial appointment and pass appropriate orders according to the existing Government Orders and the Rules within two months from the date of receipt of this order. The writ petition is accordingly disposed of.

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(Dr.G. Yethirajulu, J)

07th October 2004

svs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The State of A.P., rep. by its Principal Secretary,
Higher Education, Secretariat, Hyd.
2 The Commissioner of Intermediate Education, Nampally, Hyd.

3 The Government Pleader for Higher Education.
4 The Secretary and Correspondent, M.S.Junior College, Gooty, Anantapur District (OPUC)

5 1 CC to the counsel for Respondent No.3 (OPUC)

6 2 CD copies